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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER
CASTILLO, and MONIQUE TRUJILLO
individually and on behalf of all other
similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No.: 4:20-cv-03664-YGR-SVK

**DECLARATION OF MARK MAO IN
SUPPORT OF PLAINTIFFS' MOTION
EXCLUDE PORTIONS OF THE
REBUTTAL EXPERT REPORT OF
KONSTANTINOS PSOUNIS**

Judge: Hon. Yvonne Gonzalez Rogers

Date: September 27, 2022

Time: 2:00 p.m.

CASE No. 4:20-cv-03664-YGR-SVK

Decl. of Mark Mao ISO Plaintiffs' Motion to Exclude Portions of the Rebuttal Expert Report
of Konstantinos Psounis

1 I, Mark Mao, declare as follows:

2 1. I am a member of the Bar of the State of California and a partner at the law firm of
3 Boies Schiller Flexner LLP, counsel to Plaintiffs. I make this declaration in support of Plaintiffs'
4 Motion to Exclude Portions of the Rebuttal Expert Report of Konstantinos Psounis. I make this
5 declaration based upon matters within my own personal knowledge. If called as a witness, I could
6 and would competently testify to the matters set forth herein.

7 2. The Special Master data production process restarted in November, following this
8 Court's November 12, 2022 Order. Dkt. 331. As part of the process, Google initially identified
9 [REDACTED] data sources, and Plaintiffs selected [REDACTED] for searches.

10 3. Attached hereto as **Exhibit A** is a chart that summarizes the Google data sources
11 reviewed and analyzed by Plaintiffs' expert Jonathan Hochman, in his April 15, 2022 opening
12 expert report (Dkt. 608-12) as well as the data sources reviewed and analyzed by Google expert
13 Dr. Konstantinos Psounis, in his June 7, 2022 rebuttal expert report (Dkt. 659-10). The chart takes
14 information from Appendix E of the Hochman Report, where he listed the [REDACTED] data sources that
15 Google initially identified through the Special Master process and the [REDACTED] sources from which he
16 analyzed data, as well as Appendix G of the Psounis Report, where he identified the sole source
17 from which he reviewed data produced through the Special Master process. The chart also includes
18 the [REDACTED] logs that Google identified on June 14, 2022 as additional logs containing Incognito
19 detection bits.

20 4. Attached hereto as **Exhibit B** is a true and correct copy of the transcript of the
21 deposition of Konstantinos Psounis, taken by me on August 19, 2022.

22
23 I declare under penalty of perjury that the foregoing is true and correct. Executed this 23rd
24 day of August 2022 in San Francisco, California.

25 By: /s/ Mark C. Mao

26 Mark C. Mao
27 BOIES SCHILLER FLEXNER LLP
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